

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Keith Hazelwood,

Plaintiff(s),

vs.

Bayview Loan Servicing, LLC,

Defendant(s).

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Case Number: 1:20cv726

Judge Susan J. Dlott

ORDER


This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on February 19, 2021 a Report and Recommendation (Doc. 19). Subsequently, the defendant filed objections to such Report and Recommendation (Doc. 22).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, it is ORDERED that Defendant Bayview's Motion to Dismiss (Doc. 12) is GRANTED in part and DENIED in part. The motion is GRANTED as to plaintiff's breach of contract claim, and conditionally GRANTED as to plaintiff's Ohio Consumer Sales Practices Act ("CPSA") claim unless plaintiff moves to amend that claim within fourteen (14) days of the Magistrate filing the Report and Recommendation. Regarding plaintiff's other two claims,

Defendant Bayview's Motion to Dismiss is DENIED.

IT IS SO ORDERED.



Judge Susan J. Dlott
United States District Court